

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A) For Other Than Full and Open Competition (>\$150K)

1. **Contracting Activity:** Department of Veterans Affairs, VISN 23, Network Contracting Office, St Cloud MN- Emergency Blood and Blood Products for Minneapolis VA Health Care System (MVHCS) 618-15-4-106-2046.
2. **Nature and/or Description of the Action Being Processed:** This request is for a firm-fixed price 2 month purchase order emergency contract for the MVHCS Lab & Pathology Service.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Blood and Blood Products for the period of performance of 7/1/2015 through 8/31/2015, with 1-2 month option period.

The estimated value for 2 months is \$225,000.00.

4. **Statutory Authority Permitting Other than Full and Open Competition:**
 - ☐ (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
 - ☒ (2) Unusual and Compelling Urgency per FAR 6.302-2;
 - ☐ (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
 - ☐ (4) International Agreement per FAR 6.302-4
 - ☐ (5) Authorized or Required by Statute FAR 6.302-5;
 - ☐ (6) National Security per FAR 6.302-6;
 - ☐ (7) Public Interest per FAR 6.302-7;
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** This sole source acquisition is to ensure there is continuity of Blood and Blood Products for the MVHCS. This emergency purchase order is needed in order to provide the necessary Blood and Blood products for the MVHCS during the time that the new long term contract is being worked on. This new emergency purchase order will prevent an adverse impact on the mission of the agency. The incumbent contractor has agreed to extend prices from the expiring contract at the same rate in the contract. The statement of work under this purchase order remains the same as under the expiring contract.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** For reasons stated in paragraph 5, this is an emergency purchase order to ensure continuity of service. Due to the emergent nature of continuing these lifesaving supplies, limited market research was conducted. Limited market research was conducted due to this being an emergency purchase order. A new contract is currently in process and has been competed on www.FBO.gov to ensure competition.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The statement of work under the emergency purchase order remains the same as

the under the current expiring contract. The prices from the original contract have been extended at the same rate for the new emergency purchase order, and prices on the current contract were determined to be fair and reasonable at the time of award of Contract No. VA263-13-J-2171, contract value \$1,800,000.00.

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** For reasons stated in paragraph 5 and 6, limited market research was conducted.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** American Red Cross
11. **A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:** A new long term contract is currently under technical review.
12. **Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.